

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/935,904	
	Filing Date	August 23, 2001	
	First Named Inventor	William C. Schuh	
	Art Unit	1761	
	Examiner Name	Timothy F. Simone	
Total Number of Pages in This Submission	17	Attorney Docket Number	7377-000103

ENCLOSURES (check all that apply)				
<input checked="" type="checkbox"/> Part B - Fees Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input checked="" type="checkbox"/> Explanatory Letter w/5 attachments <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>Check for \$70 Postcard</b>		
<table border="1"><tr><td>Remarks</td><td>The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.</td></tr></table>			Remarks	The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.
Remarks	The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.			

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name David L. Howard	Reg. No. 41,502
Signature			
Date	January 12, 2005		

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	David L. Howard	Express Mail Label No.	EV 327051106 US
Signature		Date	January 12, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EV-327051106 US

**HARNESSES**  
**DICKEY**

David L. Howard  
Direct Dial: (314) 726-7644  
dhoward@hdp.com

January 12, 2005

Mail Stop ISSUE FEE  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

Re: Application No.: 09/936,904  
Applicant: William C. Schuh  
Entitled: SYSTEM AND METHOD OF LEAVENING WITH CARBON DIOXIDE  
MONITORING  
Attorney Docket No: 7377-000103

Dear Sir:

On April 5, 2004, we received a Notice of Allowance and Fees Due in connection with the above-referenced patent application (copy attached).

On July 1, 2004, Part B – Fee Transmittal and a check (check # 3880) in the amount of \$1,630.00 was filed with the US Patent and Trademark office. This check cleared the account on July 12, 2004 (copy attached).

However, in June 2004 the Examiner withdrew the allowance for this application and another Office action issued. Applicant received notice that the referenced application was withdrawn (copy attached) after the above payment had been filed.

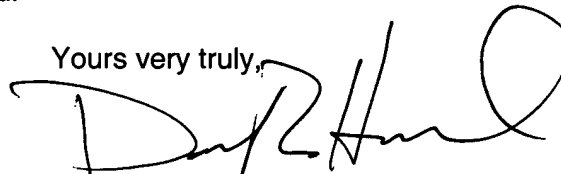
Applicant did not request that this fee be refunded or applied to a deposit account as provided for by the instruction letter received with the notice of withdrawal of allowance.

On December 21, 2004, the USPTO sent a second Notice of Allowance and Fees Due, reflecting a total fee due of \$1700.00.

As such, Applicant requests that the previously paid issue fee payment of \$1630 be applied to the current required Issue Fee payment (herein enclosed). As such, the balance of the funds due in this regard is \$70, a check for which is attached herein along with the Second Part B-Fees Transmittal.

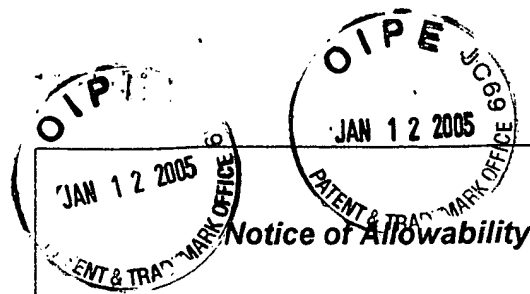
If more information is needed, please call me at the direct line listed above. Your assistance with this matter is appreciated.

Yours very truly,



David L. Howard

EV 327051106 US



# Notice of Allowability

Application No.	Applicant(s)	
09/935,904	SCHUH, WILLIAM C.	
Examiner	Art Unit	
Timothy F. Simone	1761	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- ☒ This communication is responsive to amendment, filed November 17, 2004.
- ☒ The allowed claim(s) is/are 1,4-8,12-18 and 22-27.
- ☒ The drawings filed on 01 January 0823 are accepted by the Examiner.
- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - ☐ All
  - ☐ Some\*
  - ☐ None of the:
    - ☐ Certified copies of the priority documents have been received.
    - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

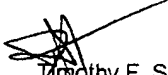
\* Certified copies not received: \_\_\_\_\_

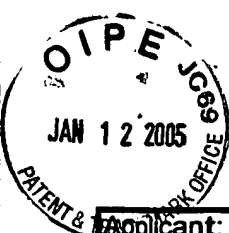
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

- ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  - ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
- ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

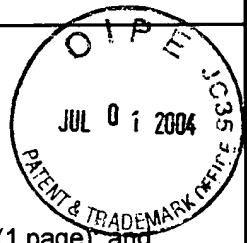
- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance             |
|   | 9. <input type="checkbox"/> Other _____   |

  
Timothy F. Simone  
Primary Examiner  
Art Unit: 1761



Applicant: William C. Schuh		Client Matter #	7377-000103
Serial/Patent # 09/935,904		Filing/Issue Date	8/23/2001
Title: System and Method of Leavening With Carbon Dioxide Monitoring			
Please acknowledge receipt of:			
Part B - Fee(s) Transmittal (1 page); Copy of Revocation of Power of Attorney with New Power of Attorney and Change of Correspondence Address filed 6/28/2004 (1 page); and Copy of Statement Under 37 CFR 3.73(b) filed 6/28/04 (1 page); and Check in the amount of \$1,630.00.			
Express Mail Label No. EV 404052959 US			
By stamping and returning to Harness, Dickey & Pierce, P.L.C.			USPTO Date Stamp
Mailed:	July 1, 2004	Attorney:	DLH/KKB/lds

Applicant: William C. Schuh		Client Matter #	7377-000103
Serial/Patent # 09/935,904		Filing/Issue Date	8/23/2001
Title: System and Method of Leavening With Carbon Dioxide Monitoring			
Please acknowledge receipt of:			
Part B - Fee(s) Transmittal (1 page); Copy of Revocation of Power of Attorney with New Power of Attorney and Change of Correspondence Address filed 6/28/2004 (1 page); and Copy of Statement Under 37 CFR 3.73(b) filed 6/28/04 (1 page); and Check in the amount of \$1,630.00.			
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Mailed:	July 1, 2004	Attorney:	DLH/KKB/lds



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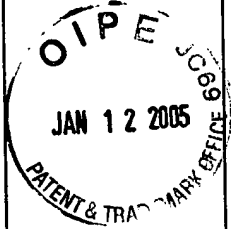
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Check Date 06/29/2004

Vendor Name: DIRECTOR OF THE U.S. PATENT AND TRADEMARK OFFICE

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60114	3880.S	06/29/2004	1.630.00	Issue and Publication Fee	01200500000000	1.630.00



TOTAL 1.630.00

WLCK-8511-1BP

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HARNESS, DICKEY & PIERCE, P.L.C.

ATTORNEYS AND COUNSELORS  
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ST. LOUIS, MO 63105

MISSOURI STATE BANK & TRUST  
ST. LOUIS, MISSOURI

3880

4-171/810.

PAY: ONE THOUSAND SIX HUNDRED THIRTY AND 00/100 DOLLARS

NUMBER

DATE

AMOUNT

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06/29/2004

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MAHRESS, DOCKEY & PENCE, P.L.C.  
U.S. BANK, NEW YORK

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ATTORNEYS AND COUNSELLORS  
GENERAL ACCOUNT  
THE ROYAL BANK OF CANADA  
ST. LOUIS, MO 63102

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Date 07/12/04

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JUN - 1 2004

CSCPO11605

In re Application of  
William C. Schuh  
Serial Number : 09/935,904  
Filed : August 23, 2001  
For : SYSTEM AND METHOD OF  
LEAVENING WITH CARBON DIOXIDE  
MONITORING


WITHDRAWAL  
FROM  
ISSUE

The purpose of this communication is to inform you that the above-identified application is being withdrawn from issue pursuant to 37 CFR 1.313.

The application is being withdrawn to permit reopening of prosecution. The reasons therefore will be communicated to you by the examiner.

PTO records reveal that the issue fee has not been paid. If the issue fee has been submitted, the applicant may request a refund or may request that the fee be credited to a deposit account. However, applicant may wait until the application is either again found allowable or held abandoned. If the application is allowed, upon receipt of a new Notice of Allowance and Issue Fee Due, applicant may request that the previously submitted issue fee to applied toward payment of the issue fee in the amount identified on the new Notice of Allowance and Issue Fee Due. If the application is abandoned, applicant may request either a refund or a credit to a deposit account.

The application is being forwarded to the examiner for action.

  
Jacqueline M. Stone, Director  
Technology Center 1700  
Chemical and Materials Engineering

RENNER, OTTO, BOISELLE & SKLAR, LLP  
1621 Euclid Avenue  
Nineteenth Floor  
Cleveland, OH 44115

cc:Allowed Files, Pk3-915

